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Crime prevention and criminal justice

Crime prevention and criminal justice

Note by the Secretary-General

I have the honour to transmit to the members of the General Assembly the report of the High-level Political Conference for the Purpose of Signing the United Nations Convention against Corruption, which was prepared in accordance with General Assembly resolution 58/4 of 31 October 2003, for information and follow-up, in particular with the objective of supporting the early entry into force of the Convention. The document was originally distributed on 19 December 2003 under the symbol A/CONF.205/2.

* A/59/50 and Corr.1.

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Report of the High-level Political Conference for the Purpose of Signing the United Nations Convention against Corruption, held in Merida, Mexico, from 9 to 11 December 2003

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I. Background of and preparations for the Conference

1. In its resolution 55/61 of 4 December 2000, the General Assembly recognized that an effective international legal instrument against corruption, independent of the United Nations Convention against Transnational Organized Crime (resolution 55/25, annex I) was desirable; and decided to establish an ad hoc committee for the negotiation of such an instrument in Vienna at the headquarters of the Centre for International Crime Prevention of the Office for Drug Control and Crime Prevention (now known as the United Nations Office on Drugs and Crime).

2. In its resolution 56/260 of 31 January 2002, the General Assembly decided that the Ad Hoc Committee for the Negotiation of a Convention against Corruption should negotiate a broad and effective convention, which, subject to the final determination of its title, should be referred to as the "United Nations Convention against Corruption"; and requested the Ad Hoc Committee, in developing the draft convention, to adopt a comprehensive and multidisciplinary approach and to consider, inter alia, the following indicative elements: definitions; scope; protection of sovereignty; preventive measures; criminalization; sanctions and remedies; confiscation and seizure; jurisdiction; liability of legal persons; protection of witnesses and victims; promoting and strengthening international cooperation; preventing and combating the transfer of funds of illicit origin derived from acts of corruption, including the laundering of funds, and returning such funds; technical assistance; collection, exchange and analysis of information; and mechanisms for monitoring implementation.

3. In its resolution 57/169 of 18 December 2002, the General Assembly noted the progress made by the Ad Hoc Committee, and urged the Ad Hoc Committee to endeavour to complete its work by the end of 2003.

4. Also in its resolution 57/169, the General Assembly accepted with appreciation the offer made by the Government of Mexico to host a high-level political conference for the purpose of signing the convention; and decided to convene the conference for a period of three days before the end of 2003.

5. The Ad Hoc Committee held seven sessions, as follows: first session from 21 January to 1 February 2002; second session from 17 to 28 June 2002; third session from 30 September to 11 October 2002; fourth session from 13 to 24 January 2003; fifth session from 10 to 21 March 2003; sixth session from 21 July to 8 August 2003; and seventh session from 29 September to 1 October 2003.

6. In its resolution 58/4 of 31 October 2003, the General Assembly adopted the United Nations Convention against Corruption and opened it for signature at the High-level Political Signing Conference, to be held in Merida, Mexico, from 9 to 11 December 2003. The present report is submitted to the Assembly in accordance with resolution 58/4.

II. Attendance and organization of work

7. The High-level Political Conference for the Purpose of Signing the United Nations Convention against Corruption was held in Merida, Mexico, from 9 to 11 December 2003, pursuant to General Assembly resolution 57/169.

8. The signatories to the United Nations Convention against Corruption are listed in annex I to the present report.

A. Attendance

9. The High-level Political Signing Conference was attended by representatives of 111 States. Also attending the Conference were observers for United Nations Secretariat units and other entities and specialized agencies of the United Nations system and intergovernmental and non-governmental organizations.

10. Over 18 experts participated in the Conference as observers.

11. The list of participants is contained in annex II to the present report.

B. Opening of the Conference

12. The High-level Political Signing Conference was opened on 9 December 2003 by the President of the United Mexican States and by the Under-Secretary-General for Legal Affairs, the Legal Counsel, who delivered a message on behalf of the Secretary-General.

13. The Governor of Yucatan welcomed the participants of the Conference to Merida.

14. In a message delivered on his behalf by the Under-Secretary-General for Legal Affairs, the Legal Counsel, the Secretary-General stated that the Conference was a major victory in the struggle against corruption. Recognized as a multifaceted challenge, corruption was insidiously affecting all people, but most severely poor people in developing countries. He stressed the crucial role of the rule of law in the fight against corruption and commended the progress made by many States in that endeavour. The Convention, he underscored, would be expected to bring together fragmented national efforts. He highlighted the provisions on asset recovery, as well as those on support and the involvement of civil society, including the private sector. In that regard, he mentioned that the Global Compact Initiative could play an active role in helping to implement the Convention.

15. Stressing that States were responsible for eradicating corruption under the Convention, the Secretary-General assured delegates that the United Nations would continue to work with Governments and civil society in the global struggle against corruption. He recalled that, in its resolution 58/4, the General Assembly had decided that 9 December should be designated International Anti-Corruption Day in order to raise awareness of corruption and the role of the Convention in combating and preventing it. He also stated that the United Nations itself had launched an organizational integrity initiative aimed at strengthening overall transparency and accountability in the Organization. He urged all States to ratify the Convention at the earliest possible date, as that would help to ensure that the vulnerable were protected from corruption and also help the international community to achieve the Millennium Development Goals.

16. The President of the United Mexican States, emphasizing that the fight against corruption was a responsibility towards future generations, stated that the United

Nations Convention against Corruption provided comprehensive and practical tools to prevent and eradicate corruption. Corruption was a real threat to the economy and to development and undermined efforts to improve standards of living. Eliminating corruption was by no means an unattainable goal, but it would require the firm political will of States to tackle jointly and consistently the scourge and its root causes. The Convention would help States to create a new culture of legality, based on confidence, accountability and transparency, and consequently would strengthen national efforts against poverty, inequality and injustice. He reiterated the continuous commitment of the Government of Mexico to implement the Convention in order to prevent and eradicate corruption. Finally, he expressed the hope that all States would sign and subsequently ratify the Convention and that it would enter into force by the first anniversary of International Anti-Corruption Day.

C. Election of the President of the Conference

17. At its 1st meeting, on 9 December, the Conference decided to follow standard practice and to confer on the host country the Presidency of the Conference. Accordingly, the Conference elected, by acclamation, Luis Ernesto Derbez Bautista President of the Conference.

18. At the same meeting, on the recommendation of its President, the Conference conferred on the representative of Colombia the position of Honorary President as a tribute to the memory of the late Chairman of the Ad Hoc Committee, Héctor Charry Samper (Colombia), and in recognition of his contribution to the advancement of the negotiation process.

D. Election of other officers

19. At the same meeting, the Conference also elected by acclamation the following Vice-Presidents: the representatives of Austria, Hungary, Jordan, Mauritius, Nigeria, Peru, the Philippines and the United Kingdom of Great Britain and Northern Ireland. The Conference also elected the representative of Poland as Rapporteur.

E. Adoption of the rules of procedure

20. At the same meeting, the Conference decided that the rules of procedure of the General Assembly would apply, mutatis mutandis, to the proceedings of the Conference.

F. Adoption of the agenda

21. At the same meeting, the Conference adopted its provisional agenda (A/CONF.205/1). The agenda was as follows:

1. Opening of the Conference.
2. Organizational matters:

(a) Election of the President of the Conference;

(b) Election of other officers;

(c) Rules of procedure;

(d) Adoption of the agenda and organization of work;

(e) Credentials of representatives to the Conference: report of the Executive Director of the United Nations Office on Drugs and Crime.

3. The United Nations Convention against Corruption: follow-up activities and future work for its effective implementation.

4. Signature of the United Nations Convention against Corruption.

5. Adoption of the report of the Conference.

G. Credentials of representatives to the Conference

22. The Executive Director, assisted by the Legal Officer and the Secretary of the Conference, examined the credentials of representatives participating in the Conference and reported to the Conference that such credentials were found to be in order.

H. Organization of work

23. At its 1st meeting, on 9 December, the Conference approved its organization of work (A/CONF.205/1, annex).

III. Proceedings of the Conference

24. The Signing Conference provided a unique opportunity for States to reiterate their commitment to join forces to prevent and control corruption.

25. At the 1st to 6th meetings, on 9 to 11 December 2003, statements were made by representatives of the following States: Algeria, Angola, Australia, Austria, Barbados, Benin, Bolivia, Brazil, Brunei Darussalam, Burkina Faso, Cameroon, Canada, Chile, China, Colombia, Comoros, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Dominican Republic, Ecuador, El Salvador, Ethiopia, Finland, France, Gabon, Germany, Greece, Guatemala, Haiti, Hungary, India, Indonesia, Iran (Islamic Republic of), Israel, Italy, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Liechtenstein, Luxembourg, Madagascar, Malaysia, Mali, Mauritius, Morocco, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Senegal, Slovakia, South Africa, Spain, Sweden, Switzerland, Syrian Arab Republic, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Turkey, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Viet Nam, Yemen and Zambia.

26. All speakers expressed their strong support for the United Nations Convention against Corruption, as it was the first truly global and determined step towards the elimination of the multidimensional scourge of corruption, which affected the lives of all people and disproportionately the lives of the poorest among them. Several speakers used the opportunity to share their experience in relation to lessons learned in the fight against corruption at the national and regional levels. The Conference sent a clear message that the international community was determined to intensify its efforts to prevent and combat corruption, using as a vehicle the new Convention.

A. Multidimensional impact of corruption

27. All speakers concurred with the view that corruption inflicted grievous harm on States in several ways. Many speakers emphasized that corruption had a crippling effect on the economic development of States; posed a serious threat to sustainable development and poverty eradication; broadened inequalities in wealth and lowered living standards; impeded the utilization of resources and depleted official development aid; distorted markets; and triggered capital flight. In some countries, the large scale of looted assets created exceptionally difficult circumstances and seriously hampered or reversed development. At the same time, corruption caused extensive damage to institutions. Corruption impaired the rule of law and democracy, violated human rights and trammelled justice. Corrupt institutions failed to deliver even the most basic services in an effective and efficient manner and undermined the confidence in and the legitimacy of government. The links between corruption and other forms of serious crime, especially transnational organized crime, money-laundering, drug trafficking and terrorism, were also highlighted. Those links posed a serious threat to peace and stability. Several speakers treated corruption as an ethical matter as well. While discussing various aspects of the problem of corruption, a number of speakers mentioned that corruption affected the poor most severely. That disproportional effect was confirmed by the results of extensive research, as pointed out by the representative of the World Bank Institute. Many speakers expressed concern that the negative impact of corruption would extend to future generations.

B. Need for a global legal instrument against corruption

28. There was broad consensus at the Conference that corruption had become a global threat and therefore required a global response. Offenders exploited the opportunities afforded by globalization and technological advancement. In that connection, several speakers emphasized the importance of joint efforts by the international community in the fight against corruption. Some also pointed out that the links between corruption and other forms of transnational crime, especially organized crime and terrorism, made it impossible for a single State to tackle corruption offences in an effective manner alone. The new Convention was a manifestation of the determined will of the international community to eliminate safe havens for offenders.

C. Expectations for the new United Nations Convention against Corruption

29. While the provisions regarding asset recovery in the Convention were considered a major breakthrough and received considerable attention during the Conference, many speakers also valued the comprehensiveness and balance of the measures set forth in the new instrument and acknowledged that its chapters were of equal importance.

30. Regarding preventive measures, some speakers pointed out that the complexity of corruption required dynamic preventive measures. In that connection, several speakers mentioned that the international community should place equal importance on prevention in both the public and the private sector. The active role of civil society and the media in preventive measures was also underscored, in particular by representatives of civil society.

31. The comprehensive approach taken in the chapter on criminalization was also noted by several speakers, who highlighted the broad scope of the new Convention and the wide range of offences that it covered, including corruption in the private sector.

32. The paramount importance of international cooperation, in particular between law enforcement authorities, was repeatedly emphasized. Several speakers described their own experience and the challenges they had faced in cooperation. In that connection, some speakers appreciated that bank secrecy could not obstruct mutual legal assistance and that the Convention narrowed the requirements of dual criminality in international cooperation. Many speakers voiced their expectations for enhanced international cooperation under the new Convention.

33. As a fundamental principle of the Convention, asset recovery attracted considerable attention. Both developing and developed countries emphasized the importance of the chapter on asset recovery, as the transfer of proceeds of crime impeded sustainable development and placed a burden on the most vulnerable. Representatives of those States whose property had been looted described the devastation caused by the transfer of significant assets abroad as a result of corruption and appealed for further cooperation in asset recovery.

34. Many representatives addressed the issue of implementation of the Convention and emphasized the importance of the commitment to put its provisions into action, while some speakers also gave emphasis to the respect for sovereignty as well as the conformity with existing international human rights standards. In that regard, the importance of technical assistance for developing countries was also stressed. Several speakers made proposals for activities and functions of the Conference of the States Parties to the Convention, including references to precedents of relevant regional conventions and the role of existing regional mechanisms in implementation of the Convention and their compatibility with it.

D. Sharing experience and lessons learned

35. Many speakers took advantage of the opportunity offered by the Conference to share their invaluable experience in the fight against corruption at the national and

regional levels. Several representatives informed the Conference of progress made towards the elimination of corruption and lessons learned at the national level. The representatives of some donor States emphasized that the official development aid provided by their Governments was aimed at ensuring good governance. The representative of the Office of Internal Oversight Services of the Secretariat informed the Conference of the preventive strategy of the Office within the United Nations in line with the provisions of the Convention. Speakers also mentioned previous initiatives in the fight against corruption, such as the comprehensive policy against corruption of the European Union; the action taken by the Group of States against Corruption; the Inter-American Convention against Corruption,[1] the action taken by the Group of Eight; the African Union Convention on Preventing and Combating Corruption; the Convention on Combating Bribery of Foreign Public Officials in International Business Transactions;[2] the Conventions adopted by the Council of Europe; the Protocol against Corruption of the Southern African Development Community; the declarations of the International Anti-Corruption Conference; the Leaders' Declarations of the Asia-Pacific Economic Cooperation meetings; the outcome of the Global Forum on Fighting Corruption and Safeguarding Integrity; and the Rules of Conduct to Combat Extortion and Bribery in International Business Transactions of the International Chamber of Commerce. It was also noted that the Convention against Corruption had come into existence in line with other significant global initiatives, including the Millennium Development Goals, the Monterrey Consensus[3] and the Johannesburg Declaration on Sustainable Development.[4]

E. The road ahead

36. All those present agreed on the importance of the expeditious entry into force of the Convention against Corruption and appealed for joint efforts by the international community, as well as robust and consistent political will towards that end. In that connection, the need to support the United Nations Office on Drugs and Crime in its efforts to promote ratification of the Convention was underscored. Many representatives welcomed the strong commitment demonstrated by Kenya, which had deposited the first instrument of ratification on the opening day of the Conference. The representative of Jordan expressed his Government's interest in hosting the first session of the Conference of the States Parties to the Convention.

37. The Under-Secretary-General for Legal Affairs, the Legal Counsel, made a special appeal to judges all over the world to join the common effort to eradicate corruption within the profession at both the national and the international level, on the occasion of the momentous High-level Political Signing Conference (see annex III).

38. Statements were also made by observers for the following entities: the Office of Internal Oversight Services, the World Bank, the Asian Development Bank, the Asian-African Legal Consultative Organization, the Council of Europe, the European Commission, the International Chamber of Commerce, the Association of Inspectors General and Transparency International.

39. The Conference also included opportunities for high-level delegates to discuss matters related to the Convention, in particular follow-up activities for its effective

implementation and future work. Accordingly, the organization of work included round tables on the following subjects:

(a) Preventive measures against corruption: the role of the private and public sectors;

(b) The role of civil society and the media in fostering an anti-corruption culture;

(c) Legislative measures to implement the United Nations Convention against Corruption;

(d) Measures to combat corruption in international financial systems.

40. While each of the four panels considered the specific role of the various institutions and sectors active in the fight against corruption, there was overwhelming agreement that only a comprehensive and integrated anti-corruption strategy, targeting the political, social and economic domains, could be successful. No institutions or sector could fight corruption in isolation. A successful anti-corruption strategy would therefore need to involve all institutions active in the fight against corruption, including supreme audit institutions, public prosecutors' offices, the police, the financial oversight institutions, the public administration and the private sector, as well as civil society. National strategies needed to be further integrated at the international level. In that context the United Nations Convention against Corruption provided a foundation on which international cooperation could flourish.

41. Panellists and other speakers repeatedly emphasized the crucial role of civil society in the fight against corruption, both in its oversight function and as a catalyst for anti-corruption reforms. Governments should strive towards more active involvement of civil society organizations, non-governmental organizations and youth. The role of civil society was particularly important where Governments and the private sector lacked the political will and had therefore failed to address corruption in an effective manner. It was suggested that civil society, supported by the media, should also exert pressure on Governments to ensure the speedy ratification of the Convention. Some of the specific functions that civil society should fulfil included the monitoring of political candidates during elections. In particular, speakers mentioned the importance of monitoring the financial assets of political candidates and public scrutiny to verify government expenditure. Participants also agreed that, in order for civil society organizations to maintain their credibility, they needed to ensure their own compliance with the principles of integrity, transparency and good governance.

42. The main task of the media in the fight against corruption consisted of identifying and exposing mismanagement and corruption in the public sector, thereby holding Governments accountable for their actions. A further consequence of such surveillance by a free, impartial press was that it promoted a culture of intolerance of corruption. By putting into the public domain information that would otherwise have remained secret, it helped to raise the expectations of a vigilant and effective civil society that insisted on government accountability.

43. Furthermore, as was also recognized in the Convention, special efforts were needed in the area of prevention, targeting the root causes of corruption rather than merely treating its symptoms. A system of effective checks and balances needed to

be established and codes of conduct should be adopted. Declaration of assets should be made obligatory, in particular for high-level public officials. Participants also recommended paying special attention to those areas of the public sector which were typically corruption-prone, such as the police and the tax and customs authorities. Several speakers supported the creation of an international register of companies found to have engaged in bribery.

44. As the Convention was opened for signature, participants debated the legislative measures needed to implement it. The appropriate legislative tools were essential for compliance with the Convention, so transforming its provisions into national law was the first step towards implementation. Speakers agreed that parliaments played a crucial, multifaceted role in that process as they not only had to pass legislation, but also had to monitor its effective implementation. Moreover, parliaments could undertake specific anti-corruption tasks, in particular, in exercising scrutiny of the executive and of public expenditure.

45. Speakers agreed on the importance of creating an institutional framework that could ensure implementation of the legislation. Such a framework might include independent anti-corruption agencies with a broad mandate, as well as independent anti-corruption agencies, with comprehensive mandates covering investigation and prosecution, prevention and awareness-raising, as they had proved to be effective in several jurisdictions. Such institutions, though independent, should not be isolated: they should establish a means of maintaining collaboration and coordination with the public sector, the private sector and the general public. Furthermore, they could act effectively only if they were given legal powers of investigation.

46. Parliamentarians throughout the world had the grave responsibility of getting to know in detail the contents of the Convention in order to understand the implications for their respective national legal systems and in order to develop laws rapidly and effectively that would give expression to the letter as well as to the spirit of the Convention. That was a great challenge, in particular with regard to areas where the provisions of the Convention needed to be harmonized with existing regional anti-corruption instruments, such as those dealing with preventive measures and asset recovery.

47. Speakers also acknowledged the key role of the financial system in combating corruption. Under the terms of the Convention States had to ensure that they had in place a broad internal regime of regulation and supervision of banks and financial institutions that included the use of registries and systems for reporting suspicious transactions so as to enable financial institutions to verify the identity of clients and, when necessary, to take reasonable measures to determine the identity of the final beneficiary of any financial transaction. Such measures were particularly important in the implementation of those provisions of the Convention which dealt with asset recovery—or the return of state assets in large-scale corruption cases involving individual officials and their associates.

48. Furthermore, use of such measures should not be limited to banks and financial institutions, but non-financial sectors, too, including the legal and accountancy professions, should take responsibility for reporting suspicious transactions. In that regard, professional associations played a crucial oversight role in promoting and monitoring their members' compliance. Speakers also emphasized

that bankers and others should no longer be able to invoke principles associated with bank secrecy in order to block criminal investigations.

49. It was deemed essential for States to engage in swift and effective international cooperation to address transnational crime, including such measures as mutual legal assistance, extradition and exchange of information. Finally, speakers concluded that the fight against corruption required as a minimum the political will of Governments, a strong and impartial judiciary and the active commitment of civil society.

IV. Adoption of the report and closure of the Conference

50. At its 6th meeting, on 11 December, the Conference considered and adopted its report (A/CONF.205/L.1). Closing statements were made by the Mayor of Merida, the President of the Conference and the Executive Director of the United Nations Office on Drugs and Crime, who expressed his gratitude to the Government of Mexico for hosting the historic Conference. He also reiterated the call of the President of the United Mexican States to reach 30 ratifications and thus the entry into force of the Convention by the first anniversary of International Anti-Corruption Day on 9 December 2004.

Notes

[1] See E/1996/99.

[2] See *Corruption and Integrity Improvement Initiatives in Developing Countries* (United Nations publication, Sales No. E.98.III.B.18).

[3] *Report of the International Conference on Financing for Development, Monterrey, Mexico, 18-22 March 2002* (United Nations publication, Sales No. E.02.II.A.7), chap. I, resolution 1, annex.

[4] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August-4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 1, annex.

Annex I

Signatories to the United Nations Convention against Corruption, 9-11 December 2003

Signatory

Algeria
Angola
Argentina
Australia
Austria
Barbados
Belgium
Benin
Bolivia
Brazil
Brunei Darussalam
Bulgaria
Burkina Faso
Cameroon
Cape Verde
Chile
China
Colombia
Comoros
Costa Rica
Côte d'Ivoire
Croatia
Cyprus
Denmark
Dominican Republic
Ecuador
Egypt
El Salvador
Ethiopia
Finland
France
Gabon
Germany
Greece
Guatemala
Haiti
Hungary
Iran (Islamic Republic of)
Ireland
Italy
Japan
Jordan
Kenya
Kuwait
Kyrgyzstan
Lao People's Democratic Republic
Liechtenstein
Lithuania
Luxembourg
Madagascar
Malaysia
Mali
Mauritius
Mexico
Morocco
Namibia
Nepal
Netherlands
New Zealand
Nicaragua
Nigeria
Norway
Pakistan
Panama
Paraguay
Peru
Philippines
Poland
Portugal
Republic of Korea
Romania
Russian Federation
Senegal
Serbia and Montenegro
Sierra Leone
Slovakia
South Africa
Sweden
Switzerland
Syrian Arab Republic
Thailand
Timor-Leste
Togo
Trinidad and Tobago
Turkey
Uganda
Ukraine
United Kingdom of Great Britain and Northern Ireland
United Republic of Tanzania
United States of America
Uruguay
Venezuela
Viet Nam
Yemen
Zambia

Ratifying State

Kenya

Annex II

List of participants

States

Algeria	El Tayeb Belaiz, Abdelkader Taffar, Nabil Hattafi, Marouk Nacereddine, Ahmed Oualitsene, Abdelouahab Hamed, Ahmed Halimi, Sonia Bisker, Kamal Boughaba, Lotfi Boufedji
Angola	Fidelino Loy de Jesus Figueiredo, José Jaime Furtado Goncalves, Sebastião Fernandes, João Manuel Sebastião Neto
Argentina	D. Oscar Galie
Australia	Graeme Wilson
Austria	Thomas Stelzer, Michael Desser
Barbados	Louis Tull
Belgium	Michel Delfosse
Benin	Dorothée Sossa, Anna Cica Adjai, Guy Ogoubiyi, Malick Boukari
Bolivia	Maria Guadalupe Cajias de Perez, Eunice Vedia, Juan Carlos Terrazas Soria Galvarro
Brazil	Waldir Pires, Iveie Lund Viegas, Marcos Vinicius Pinta Gama, Luiz Augusto Fraga Navarro de Britto Filho, Patricia Maria Oliveira Lima
Brunei Darussalam	Pg. A. D. Puteh, Hj Kifawibin D. P. Hj Kifli, Hja Intan Hj Md Kassimi, Md Juanda bin Abd Rashid, Hj Nabil Daraina bin P. U. K. D. P. Hj Badaruddin, Dk Norhashimah Pg. Md Hassan, Megawati D. P. Hja Manan
Bulgaria	Ivan Christov
Burkina Faso	Michael Kafando, Béatrice Damiba, Antoine Somdah, Augustin Salambanga
Cameroon	Ali Amadou, Martin Belinga Eboutou, Egbe Achou Hillmann
Canada	Robert Hage, Simon Cridland, Martin Laflamme, Neil Reeder
Cape Verde	Luis de Matos Monteiro da Fonseca
Chile	Luis Bates Hidalgo, Rodrigo Medina Jara, Marco Aguayo Tamsec

China	Zhang Yesui, Ren Jingyu, Qu Wanxiang, Sun Li, Duan Jielong, Tian Lixiao, Lu Baosheng, Wang Qun, Liu Xiaoyan
Colombia	Luis Ignacio Guzman Ramirez, Felipe Reyes de la Vega, Carlos Rodriguez Bocanegra
Comoros	Sultan Chouzour, Ahmed Djaffar
Costa Rica	Marco Vinicio Vargas Pereira, Ronald Gurdian Maichena
Côte d'Ivoire	Fiacre Kili Fagnidi
Croatia	Ingrid Anticevic Marinovic, Zdravko Stojanovic, Vesna Vukovic
Cuba	Amando Diez Espinosa, Rafael Reyes Diaz, Pedro Manuel Alvarez Aguirre
Cyprus	Solon Nikitas, Yiannakis Lazarou, Antonis Toumazis
Czech Republic	Vera Zemanová, Jaroslav Stepanek
Democratic People's Republic of Korea	Ri Kang Se, Song Sun Ryong
Denmark	Søren Haslund
Dominican Republic	Jésus Miguel Faustino Collado Taveras, Jesus Ma. Feliz Jimenez, Maximo R. Castillo Salas, Katiuska Rosa Bobea de Brenes
Ecuador	Ramiro Larrea Santos, Francisco Herrera Arauz
Egypt	Mamdouh Shawky Moustafa Kamel
El Salvador	Maria Eugenia Brizuela de Avila, Victor Manuel Lagos Pizzati
Ethiopia	Berhanu Dibaba
Finland	Johannes Koskinen, Ilkka Heiskanen
France	Patrick Villemur, Isabelle Minguet, Raphael Trannoy
Gabon	Martin Mabala, Denis Dangue Rewake, Joachim Nzikoue
Germany	Eberhard Kölsch, Joerg-Werner Marquardt, Manfred Moehrenschlager, Manon Geissler
Greece	Dionyssios Kodellas
Guatemala	Edgar Armando Gutiérrez Girón, Federico Urruela Prado, Jorge Escoto Marroquin

Haiti	Calixte Delatour, Idalbert Pierre-Jean, Marcel Picoche, Michelange Obas
Holy See	Giuseppe Bertello, Emilio Carlos Berlie Belaunzarán, Jorge Vega Carrillo, Jorge Carlos Estrada Avilés
Hungary	Gábor Bródy, István Posta
India	Harin Pathak, T. P. Sreenivasan, W. R. Reddy, Subhash S. Patel, Anup Kumar Mudgal, Narender Kumar Sharma
Indonesia	Mangasi Sihombing, T. A. Samodra Sriwidjaja, Ahwil Lutan, Berty Fernandez, Krishna Pandji, Listyowati, Octavio Alimudin, Andihika Chrisnayudhanto, Alfiano Tamala, Otto Cornelis Kaligis, Indra Sahnun Lubis, M. Y. Purwaning
Iran (Islamic Republic of)	Gholamali Khoshroo, Mohammad Rohisefat, Ali Hajigholam Saryazdi
Ireland	Art Agnew
Israel	David Dadonn
Italy	Roberto Castelli, Settembrino Nebbioso, Giovanni Verucci, Gianfranco Tatozzi, Stefano Simonetti, Carlo Corti, Lorenzo Colombo, Stefano Cima, Nicola Maiorano, Roberta Barberini, Pierluigi Ferraro, Roberto Bellelli, Daniela Bochicchio
Japan	Masatoshi Abe, Nobutaka Maekawa, Takuya Sasayama, Ken Kashiba, Keiko Ishihara, Satoko Toku, Satoko Hasegawa
Jordan	Salah Al-Bashir, Muhyieddeen Touq
Kazakhstan	Yerzhan Kazykhanov, Shanat Shaimerdenov
Kenya	Kiraitu Murungi, Musikari Kombo, Thuita Mwangi, Wanjuki Muchemi, Anthony I. Okara
Kuwait	Ahmad Baqir Al-Abdullah, Hamed Saleh Al-Othman, Bader Al-Mesad, Salah Al-bin Ali, Abdulaziz Majed Al-Majed, Zakaria Al-Ansari, Nayef R. H. T. Alanzi, Adbulaziz Abdulkarem Al-Sendi, Zeiad Al-Anbaie
Kyrgyzstan	Baktybek Abdrissaev
Lao People's Democratic Republic	Alounkeo Kittikhoun
Lebanon	El Ayoubi Monzer, Simon Girgis El Hadad
Lesotho	Rifiloe Moses Masemene, Paul K. Motholo, Marethabile Masemane

Libyan Arab Jamahiriya	Ahmed Y. Y. Gzlal
Liechtenstein	Claudia Fritsche
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Luxembourg	Arlette Conzemius, José Ponce Garcia
Madagascar	Marcel Ranjeva, Zina Andrianarivelo-Razafy, Bakolalao Ramanandraibe, Patrick Yves Noël Rafolisy
Malaysia	Hussein Haniff, Zulkipli Mat Noor, Rushan Lufti Bin Mohamed, Ahmad Sabri Bin Mohd Tahir
Mali	Abdoulaye Garba Tapo
Mauritius	Anil Kumarsingh Gayan, Ivan Leslie Collendavelloo
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Morocco	Mohamed Tangi, Noureddine Khalifa, Abdelaziz Samel
Namibia	Pendukeni Iivula-Ithana, Gerson Tjihenuna, Anna-Letu Haitembu, Nada Kruger, Liza T. Katjioungua

Nepal	Surya Nath Upadhyay, Lava Kumar Devakota, Chet Nath Ghimire, Bhesh Raj Sharma
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Nicaragua	Haydée Acosta Chacón, Alvaro José Sevilla Siero, Carlos Vicente Ibarra
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Pakistan	Sikandar Hayat Bosan, Saeed Ahmad Sargana, Sajid Mehmood Qazi
Panama	Nivia R. Castrellon Echeverria, José Antonio Sossra Rodriguez, Dionisio de Gracia Guillén, Carmen de Pelyhe
Paraguay	Leila Rachid, José Félix Fernandez Estigarribia, Oscar Cabello Sarubbi, Carlos Alfredo Closs
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Slovakia	Daniel Lipšic, Branislav Hitka, Jozef Kandera, Ján Hrubala, František Kiss
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Sweden	Klas Bergenstrand, Håkan Öbert, Gudrun Antemar, Ewa Polano, Jonas Norling, Åsa Gustafsson
Switzerland	Gian Federico Pedotti, Bernard Jaggy
Syrian Arab Republic	Abboud Al Sarraj
Thailand	Sorajak Kasemsuvan, Rawat Chamchalerm, Karn Chiranond, Itti Ditbanjong Rin, Uthai Artivech, Russ Jalichandra, Plernpit Potiganond, Tongthong Chandransu, Sirisak Tiyapan, Chittipat Tongprasroeth, Apipan Cheecharoen, Srichai Pangsri, Kosonlavat Intujanyong
Timor-Leste	Domingos Sarmento
Togo	Biossey Kokou Tozoun, Assiongbor K. Folivi, Koffi A. Maxime Assah
Trinidad and Tobago	Philip Sealy, Gaile Ramoutar
Turkey	H. Aydin Sahinbas, Mehmet Kamil Arikut, Tufan Hobek, Ömer Aydin
Uganda	Tim Lwanga, Jotham Tumwesigye, Richart Buteera, John Muwanga, Elizabeth B. Muosoke, Gurbachan Singh

Ukraine	Oleksandr Lavrynovych, Yevhen Sergienko, Vasyl Rybachyk, Anatolii Redka, Olena Zerkal, Oleksiy Horashchenkov, Lubov Butenko
United Arab Emirates	Alasri Saeed A. al Dhahri, Mohamed Mahmoud Ismaeil Alkamali, Ali Hasan Mohamed A. al Shirawi al Haram, Abdulrahim Mohamed Ali A. Sinkais Alawadi, Khamis Obaid Khamis al Kaabi, Humaid M. S. Humaid al Muhairi, Adel Essa Hur al Mahri, Jassim M. Alhousani
United Kingdom of Great Britain and Northern Ireland	Baroness Scotland of Asthal, Creon Butler, Peter Jenkins, Louisa Chichester, Anna Hodgson, Thomas Barry, Juan Manual Romero
United Republic of Tanzania	Wilson Masilingi, William Maina, Anatory R. Kamazima, Mathias N. C. Chitunchi
United States of America	John Ashcroft, Elizabeth Verville, John Dickson, David Ayres, Andrew Beach, John Brandolino, Mark Corallo, James Dickmeyer, Noel Hillman, Robert Hollister, David Israelite, Jeanette Juricic, Stuart Levey, Daniel Levin, Bruce Lizzi, Trent Luckinbill, Kristen Pisani, Elwood Rische, Charles Rosenberg, Joan Safford, Karen Sasahara, Bruce Swartz, Jeffery Taylor, Lisa Vickers, Christopher Wray, Lee R. Penella, Gerard Wynn, Jorge Becerril, Anita Consuelo, Jose Amaya, Maurice Glorioso, Luis Flores
Uruguay	Samuel Lichtensztejn
Venezuela	Arévalo Méndez Romero, Lino Martínez, Miriam Garcia de Pérez, Gustavo Márquez Marín, Clodosbaldo Russián
Viet Nam	Quach Le Thanh, Nguyen Hoang Hoa, Pham Anh Tuan, Ha Trong Cong, Pahm Truong Giang
Yemen	Ahmad Obaid Al-Fadli, Ahmed Saleh Saif Al-Sharabi, Nageeb Ahmed Obeid, Ateka Ali Hussein Hamza, Yahya Hamood Al-Qaifi
Zambia	Ronald Shikapwasha, Steven Chikonde Muttono
Zimbabwe	Tirivafi John Kangai

Entities represented by observers

Palestine	Fawzi M. Y. El-Mashni

United Nations Secretariat

Office of Legal Affairs, Office for Internal Oversight Services, United Nations Office on Drugs and Crime

United Nations bodies

United Nations Development Programme

Specialized agencies of the United Nations system

World Bank, United Nations Industrial Development Organization

Intergovernmental organizations

Asian-African Legal Consultative Organization, Asian Development Bank, Council of Europe, International Criminal Police Organization, Offshore Group of Banking Supervisors, Organisation for Economic Cooperation and Development

Non-governmental organizations in consultative status with the Economic and Social Council

General consultative status: Asia Crime Prevention Foundation, International Chamber of Commerce

Special consultative status: Syriac Universal Alliance, Transparency International

Other non-governmental organizations

Association of Inspectors General, Católicas por el Derecho a Decidir, Coparmex, Educación para la Democracia A.C., Indinación A.C., Instituto Electoral del Estado de Yucatán, Participación Ciudadana A.C., Sin Corrupción es Mejor A.C., Instituto Tecnológico de Estudios Superiores de Monterrey, Tribunal Superior de Justicia, Universidad de Salamanca, Grupo de Estudio contra la Corrupción, Spain

Experts

Prashant Bhushan	Jorge Loáisiga	Paul Lachal Roberts
Barbara Blakely	Ramesh Lawrence Maharaj	Augustine Ruzindana
Franz Brüner	John McCormick	Boyko Todorov
Carlos Castresana Fernandez	Bess Michael	Benjamin Vidargas Rojas
Russell Johnston	Fernando Pombo	John G. Williams
Peter Kidd	William Reuben	Kim Yun-Seek

Special invitees

Marisol Achach
Luis Aguilar Ayala
Mario Barbieri
Rafael Benitez
Manuel Bonilla
Carolina Cardenas Sosa
José Castaneda Perez
Julio Castillo
Jorge Ceballos
Oscar Coldwell
Jorge Cortes Vazquez
Julio Cosgaya Ceballos
Miguel Diaz
Rafael Dominguez Morfin
Eduardo Flores-Trejo
Jorge Gamboa
Edmundo Garrido Osorio
Mario Gonzalez
Carlos Gutierrez Ocampo
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Luis Jorge
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Raul Pino
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Alberto Reyes Carrillo
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Luis Rios
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Juan Carlos Seijo Gutierrez
Rita Suarez Alcocer
Gerardo Tejeda
Carlos Toledo
Pilar Vargas
Amalia Vicario
Antonio Yepez
Patricia Zapata
Flora Zapata Mendiolea

Annex III

Appeal to judges worldwide by the Under-Secretary-General for Legal Affairs, the Legal Counsel

Since my professional experience is deeply rooted in the judiciary of my own country—I had the privilege of serving in several judicial functions in the past—I would like to use the opportunity of this Conference to make the following personal appeal to judges worldwide.

The adoption of the United Nations Convention against Corruption is a major step forward in the fight against a phenomenon that has devastating effects on our efforts to create societies under the rule of law. But the Convention and the consequent national legislation must be faithfully implemented.

It is a sad fact that not all national justice systems are free from corruption. To eradicate corruption from these systems is a task in which many are involved—within the legal profession and elsewhere. It goes without saying that the way in which the legal profession, in particular the judiciary, deals with corruption is one of the most important factors for the prospects of success. A corrupt judiciary means that the very mechanism designed to eradicate corruption has itself been infected with the disease. This is a devastating blow to the courageous efforts of others who are engaged in the fight against this scourge.

Corruption is a crime. But, basically, it is a question of morality and ethics. Those of us who are engaged in the administration and dispensation of justice know that there are many different issues that have to be addressed in this context, in particular the status and remuneration accorded to judges at the national level. But the fact that these issues may not have been solved in a fully satisfactory manner in all instances can never be an excuse. A judge must have integrity and self-respect, and someone with even a minimum of self-respect would shun corruption.

On this solemn occasion, I appeal to judges worldwide to engage effectively in the fight against corruption by individually setting the example. In particular, I turn to senior members of the profession. Your example will be of decisive importance for new generations of judges.

Judges all over the world: let today's event be a signal to us to join hands, at the national level and across borders, in a common effort to eradicate corruption within our own profession. This is the most important contribution we can make to the common effort, in which so many people are engaged, to create societies where we all can live in dignity.